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OFFICE OF PETITIONS

In re Application of :
Bjarne Nilsen :
Application No. 10/625,995 :
Filed: July 24, 2003 :
For: METHOD OF CLEANING SURFACES IN :
CONTACT WITH A FLUID FLOW :
: DECISION REFUSING STATUS
: UNDER 37 CFR 1.47(b)

This is in response to the renewed petition under 37 CFR 1.47(b), filed April 25, 2005, requesting reconsideration of the decision mailed February 11, 2005.¹

The petition is dismissed.

Any request for reconsideration must be submitted within TWO MONTHS from the mailing date of this decision to respond, correcting the below-noted deficiencies. Extension of time under 37 CFR 1.136(a) are permitted. Any reply should be entitled "Renewed Petitions under 37 CFR 1.137(b) and 37 CFR 1.47(b)" and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the inventor. This is **not** a final agency action within the meaning of 5 U.S.C. § 705.

A grantable petition under 37 CFR 1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration; (2) an acceptable oath or declaration; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) proof of irreparable damage. Applicant lacks item (2) set forth above.

Rule 47(b) applicant still has not satisfied item (2), the declaration submitted with the petition lacks compliance with 37 CFR 1.63 and 1.64. The signature block for Bjarne Nilsen is missing. Accordingly, an oath or declaration in compliance with 37 CFR 1.63 and 1.64 signed by the Rule 1.47 applicant on behalf of Nilsen is required. See MPEP 409.03(a).

Further correspondence with respect to this matter should be addressed as follows:

¹ The decision mailed February 11, 2005 stated that this application is abandoned for failure to file a timely and complete reply (oath or declaration) to the Notice of April 20, 2004. However, this statement is incorrect and is hereby withdrawn.

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Any questions concerning this matter may be directed to Wan Laymon at (571) 272-3220.



Frances Hicks
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for Patent Examination Policy